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MEMORANDUM

September 7, 1972

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing Date: 9/26

Petition No. Z-2535
Henry & Clara Trawinski
Today House, Inc.
1077-1079 Dorchester Avenue,
Dorchester

Petitioners seek two variances for a change of occupancy from a three family dwelling to a lodging house (22 lodgers) and office for alcoholic rehabilitation program in a local business (L-1) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 14-2. Lot area for additional dwelling unit not provided.	1500sf/du	0
Section 23-1. Off street parking not provided.	8 spaces	0

The property, located on Dorchester Avenue at the intersection of Thornley Street, contains a three story frame structure. The proposal does not meet the three conditions required for a variance under Section 7-3 in that there are no special circumstances or conditions peculiar to the land or structure. There is no evidence of substantial hardship and the proposed conversion would have an injurious effect on this primarily residential neighborhood. Considerable opposition has been expressed in the community. Recommend denial.

VOTED: That in connection with Petition No. Z-2535, brought by Henry and Clara Trawinski and Today House, Inc., 1077-1079 Dorchester Avenue, Dorchester, for two variances for a change of occupancy from a three family dwelling to a lodging house and office for alcoholic rehabilitation program in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. The three conditions required for a variance under Section 7-3 have not been met by the proposed conversion. Considerable opposition has been expressed in the community.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2525
General Land Corporation
200 Newbury Street
Boston

Petitioner seeks a conditional use for a use of premises to park 60 cars for a fee in a general business (B-4-70) district. The proposal violates the code as follows:

Section 8-7. A parking lot is conditional in a B-4 district.

The property, located on Newbury Street at the intersection of Exeter Street, contains a parking lot on 15,568 square feet of land. In November, 1969, the Board of Appeal granted the petitioner a conditional use with a proviso that the operation of the lot be terminated on or before March 31, 1972. The petition requests the continuation of said conditional use permit. A one year extension is recommended provided that a low hedge or opaque fence (approx. 3 feet high) be installed along the periphery of the parking area to screen the cars, a new operator's shed be provided and new signs installed; subject to BRA design review approval; that the fees charged conform with the original Board of Appeal proviso #3; that the petitioner present development plans for the site within this time period. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2525, brought by General Land Corporation, 200 Newbury Street, Boston, for a conditional use for a use of premises to park 60 cars for a fee in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval of a one year extension provided that a low hedge or opaque fence (approx. 3 feet high) be installed along the periphery of the parking area to screen the cars; a new operator's shed be provided and new signs installed; subject to BRA design review approval; that the fees to be charged conform with the original Board of Appeal proviso #3; that the petitioner present development plans for the site within this time period.

Board of Appeal Referrals 9/7/72

Hearing Date: 10/3

Petition No. Z-2539
Knights of Columbus Council #180
110 Washington Street,
Dorchester

Petitioner seeks an extension of a non conforming use and six variances to erect a one-story and basement addition to a hall in a residential (R-.5) and a local business (L-.5) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 9-1. An extension of a non-conforming use exceeding 25% of the existing floor area is forbidden.		
Section 14-2. Lot area for additional unit is insufficient.		
	3000sf/u	1571sf/u
Section 15-1. Floor area ratio is excessive.	0.5	0.7
Section 18-1. Front yard is insufficient	25ft.	5 ft.
Section 19-1. Side yard is insufficient.	10ft.	1 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	6 ft.
Section 23-2. Off street parking is insufficient.	69 spaces	0

The property, located at the intersection of Washington, Richmond and Morton Streets, contains a one-story Knights of Columbus Hall. The proposed expansion would be utilized as a lounge. The staff recommends the following provisos: that the petitioner demonstrate to the Board of Appeal the acquisition of space, through purchase or lease, to supply the required off street parking; that the abutting properties be adequately screened by landscaping or fence. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2539, brought by Knights of Columbus Council #180, 1100 Washington Street, Dorchester, for an extension of a non conforming use exceeding 25% of existing floor area and six variances to erect a one-story addition to a hall in a residential (R-.5) and a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the petitioner demonstrate to the Board of Appeal the acquisition of space, through purchase or lease, to supply the required off street parking and that the abutting properties be adequately screened by landscaping or fence.

Board of Appeal Referrals 9/7/72

Hearing Date:

Petition No. Z-2555
Morton Bello, Orchard Field Realty
Trust, John C. Piazza
1362-1378 Dorchester Avenue,
5-11 Kimball Street,
4-10 Orchardfield Street,
Dorchester

Petitioner seeks a forbidden use and eight variances to erect a two story office building in a residential (R-.8) and general business (B-1) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 8-7.	An office building is forbidden in an R-.8 district.		
Section 14-2.	Lot area for additional unit is insufficient.	1500 sf/u	913 sf/u
Section 15-1.	Floor area ratio is excessive.	0.8	1.3
Section 18-1.	Front yard is insufficient (Dorchester Avenue).	25 ft.	0
Section 18-3.	Corner traffic visibility is insufficient.		
Section 18-4.	Front yard is insufficient (Kimball Street)	21 ft.	0
Section 23-4.	Offstreet parking is insufficient.	61 spaces	25 spaces
Section 24-1.	Off street loading is insufficient.	1 bay	0
Section 10-1.	Parking not allowed in required front yard.		

The property located on Dorchester Avenue, Kimball and Orchardfield Streets, contains two vacant structures and an occupied residential structure. The proposal has been favorably received in the community, it will significantly improve the neighborhood and act as a deterrent to the blight now prevalent along Dorchester Avenue. However, the following conditions are recommended: that the petitioner assist in relocating the occupants at 7 Kimball Street; that additional off street parking facilities be supplied, through purchase or lease, within walking distance of the site; that the proposed parking area at the rear of the proposed structure be suitably screened from abutting properties; that plans be submitted to the Authority for design review approval. Recommend approval with provisos.

VOTED: That in connection with petition no. Z-2555, brought by Morton Bello, Orchardfield Realty Trust and John C. Piazza, 1362-1378 Dorchester Avenue, 5-11 Kimball Street and 4-10 Orchardfield Street, Dorchester, for a forbidden use and eight variances to erect a two story office building in a residential (R-.8) and general business (B-1) district, the Boston Redevelopment Authority recommends approval provided that the petitioner assist in relocating the occupants at 7 Kimball Street; that additional off street parking facilities be supplied, through purchase or lease, within walking distance of the site; that the proposed parking area at the rear of the proposed structure be suitably screened from abutting properties; that plans be submitted to the Authority for design review approval.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2559

Lawrence O'Brien

79-87 West Broadway, South Boston

Petitioner seeks a conditional use and a variance to erect a one story addition to a gas service station in a general business (B-1) and a light manufacturing (M-1) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. An addition to a pre-existing conditional use requires a Board of Appeal hearing.		
Section 20-1. Rear yard is insufficient.	20 ft.	2 ft.

The property, located on West Broadway at the intersection of A Street, contains a gasoline service station. It is proposed to utilize the extension as an inspection bay. Plans for any proposed signs should be submitted for design review. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-2559, brought by Lawrence O'Brien, 79-87 West Broadway, South Boston, for a conditional use and a variance to erect a one-story addition to a gas service station in a general business (B-1) and a light manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. The rear yard violation is existing. Plans for any proposed signs should be submitted to the Authority for design review.

Board of Appeal Referrals 9/7/72

Hearing Date: 10/17

Petition No. Z-2560
Kaprielian Realty Trust
Robert Kaprielian, Trustee
604 Massachusetts Avenue, Boston

Petitioner seeks a variance for a change of occupancy from a lodging house to nine apartments in an apartment (H-2) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 17-1. Open space is insufficient	150sf/du	115sf/du

The property, located on Massachusetts Avenue near the intersection of Shawmut Avenue in the South End Urban Renewal Area, contains a four story masonry structure. Proposed rehabilitation and conversion to apartment dwelling is desirable and appropriate. It is recommended that the petitioner provide a minimum of six off street parking spaces and submit rehabilitation-conversion plans to the Authority for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-2560, brought by Kaprielian Realty Trust, 604 Massachusetts Avenue in the South End Urban Renewal Area, for a variance for a change of occupancy from a lodging house to nine apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided that the petitioner supply a minimum of six off street parking spaces and submit rehabilitation - conversion plans to the Authority for design review.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2566
Patrick O'Brien
25 Hardwick Street, Brighton

Petitioner seeks a forbidden use and two variances for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district. The proposal violates the Code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families is forbidden in an S-.5 district.		
Section 14-1. Lot area for additional dwelling unit is insufficient	4000sf/du	50sf/du
Section 23-1. Off street parking is insufficient.	1 space	0

The property, located on Hardwick Street near the intersection of Bigelow Street, contains a 2½ story frame structure. An increase in the existing non conformity would have a blighting effect on this predominantly single family occupied street and neighborhood. The community has indicated opposition to the proposed conversion. Recommend denial.

VOTED: That in connection With Petition No.Z-2566, 25 Hardwick Street, Brighton, for a change of occupancy from a two family dwelling to a three family dwelling in a single family (S-.5) district, the Boston Redevelopment Authority recommends denial. An increase in the existing non conformity would have a blighting effect on this predominantly single family occupied street and neighborhood. The community has indicated opposition to the proposed conversion.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2567
Patrick O'Brien
9 Cambridge Terrace, Allston

Petitioner seeks a forbidden use and two variances for a change of occupancy from a two family dwelling to a three family dwelling in a residential (R-.8) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8.7. A dwelling converted for more families and not meeting one half the requirements of lot area is forbidden in an R-.8 district.		
Section 14.2. Lot area for additional dwelling unit is insufficient.	1500 sf/du	0
Section 17.1. Open space is insufficient.	800 sf/du	698 sf/du

The property, located on Cambridge Terrace near the intersection of Cambridge Street, contains a 2½ story frame dwelling apparently occupied by three families. This occupancy is consistent with the existing density in the area. Abutters have no objection. Recommend approval.

VOTED: That in connection with petition no. Z-2567, brought by Patrick O'Brien, 9 Cambridge Terrace, Allston, for a forbidden use and two variances for a change of occupancy from a two family dwelling to a three family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. The three family occupancy is consistent with the existing density in the area. Abutters have no objection.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2569
Josephine Clayton and Theresa
Miller,
1080-1088 Blue Hill Avenue,
Mattapan

Petitioner seeks a forbidden use for a change of occupancy from stores to a kennel and office in a local business (L-1) district. The proposal violates the code as follows:

Section 8-7. A kennel is forbidden in a L-1 district.

The property, located on Blue Hill Avenue at the intersection of Balsam Street, contains a one story structure. Essentially, the proposed kennel would be part of a security service operation. There would be accommodations for approximately 25-30 dogs. Noise generated by a facility of this size would have a disturbing affect on abutting local business uses and residential properties. The local Little City Hall has expressed opposition. Recommend denial.

VOTED: That in connection with petition no. Z-2569, brought by Josephine Clayton and Theresa Miller, 1080-1088 Blue Hill Avenue, Mattapan, for a forbidden use for a change of occupancy from stores to a kennel and office in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Noise generated by a kennel of approximately 25-30 dogs would have a disturbing affect on abutting local business uses and residential properties. The local Little City Hall has expressed opposition.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/19

Petition No. Z-2576
Boston Waterfront Development Corp.
James S. Craig, President
30-32 Atlantic Avenue and
14-40 Lewis Wharf,
Boston

Petitioner seeks a conditional use and a variance for a change of occupancy from stores, offices and warehouse to 102 apartments, stores and offices, and, erect a two story vertical addition in a light manufacturing (M-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. Multi-family dwellings are conditional in an M-2 district.		
Section 15-1. Floor area ratio is excessive.	2.0	2.5

The property, located on Lewis Wharf at the intersection of Atlantic Avenue and Commercial Street in the Waterfront Urban Renewal area, contains a four story granite warehouse. The proposed conversion to condominiums, accessory stores and offices is in accordance with the terms and conditions of the Waterfront Urban Renewal Plan and consistent with the Authority - Developer rehabilitation agreement. Plans have been reviewed with the staff. Recommend approval.

VOTED: That in connection with petition no. Z-2576, brought by Boston Waterfront Development Corp. 30-32 Atlantic Avenue and 14-40 Lewis Wharf in the Waterfront Urban Renewal Area, for a conditional use and a variance for a change of occupancy from stores, offices and warehouse to 102 apartments, stores and offices in a light manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval. The proposed conversion to condominiums, accessory stores and offices is in accordance with the terms and conditions of the Waterfront Urban Renewal Plan and consistent with a rehabilitation agreement between the Authority and the developer.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/19

Petition No. Z-2579
Joseph A. Pennachio, Trustee
10 Albemarle Street
Hyde Park

Petitioner seeks a forbidden use and eight variances to erect a three story and basement 32 unit apartment structure in a residential (R-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A multi-family dwelling is forbidden in an R-.5 district.		
Section 10.1. Parking not allowed within front yard.		
Section 14.1. Lot area is insufficient.	2 acres	29,224 sf
Section 14.2. Lot area for additional dwelling unit is insufficient.	3000 sf/du	0
Section 14.3. Lot width is insufficient.	200 ft.	141 ft.
Section 15.1. Floor area ratio is excessive.	0.5	1.0
Section 16.1. Height of building is excessive.	2 stories	3 stories
Section 17.1. Open space is insufficient.	1000 sf/du	326 sf/du
Section 20.1. Rear yard is insufficient.	40 ft.	13 ft.

The property, located on Albermarle Street at the intersection of Readville Street, contains 29,224 square feet of vacant land. The proposal lacks conformity with the surrounding one and two family neighborhood. The plan indicates the parking area at the intersection of the streets in front of the proposed structure. This is unsightly, undesirable and represents a further intrusion into this low density area. Recommend denial.

VOTED: That in connection with petition no. Z-2579, brought by Joseph A. Pennachio, Trustee, 10 Albemarle Street, Hyde Park, for a forbidden use and eight variances to erect a three story and basement 32 unit apartment structure in a residential (R-.5) district, the Boston Redevelopment Authority recommends denial. The proposal lacks conformity with the surrounding one and two family neighborhood. The plan indicates the parking area at the intersection of Albermarle and Readville Streets in front of the proposed structure. This is unsightly, undesirable and represents a further intrusion into the low density area.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/19

Petition no. Z-2580
Richard Campana
684 Massachusetts Avenue
Boston

Petitioner seeks a forbidden use and two variances for a change of occupancy from a single family dwelling to a five unit apartment dwelling in an apartment (H-2) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-7. A dwelling converted for more families not meeting one half the requirements of open space is forbidden in an H-2 district.		
Section 17.1. Open space is insufficient.		
Section 23-1. Off street parking is insufficient.	3 spaces	0

The property, located on Massachusetts Avenue between Washington Street and Harrison Avenue in the South End Urban Renewal area, contains a four story and basement masonry structure. The proposed conversion would create much needed apartment units in the area. However, it is recommended that rehabilitation plans be submitted to the Authority for design review and that the petitioner indicate to the Board of Appeal the acquisition of space, through purchase or lease, to provide the required off street parking. Recommend approval with provisos.

VOTED: That in connection with petition no. Z-2580, brought by Richard Campana, 684 Massachusetts Avenue, in the South End Urban Renewal Area, for a forbidden use and two variances for a change of occupancy from a single family dwelling to a five unit apartment dwelling in an apartment (H-2) district, the Boston Redevelopment Authority recommends approval provided that rehabilitation plans are submitted to the Authority for design review and that the petitioner indicate to the Board of Appeal the acquisition of space, through purchase or lease to supply the required off street parking.

Board of Appeals Referrals 9/7/72

Hearing Date: 9/19

Petition No. Z-2584
Samuel Hanna
530 VFW Parkway
West Roxbury

Petitioner seeks an extension of a non-conforming use and two variances to erect a one story addition to a residential-office building in a single family (S-.5) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 9.1. An extension of a non-conforming use requires a Board of Appeals hearing.		
Section 15.1. Floor area ratio is excessive.	0.5	0.6
Section 20.1. Rear yard is insufficient.	40 ft.	17 ft.

The property, located on VFW Parkway between Manthorne Road and Brucewood Street, contains a 2 story and basement residential - office structure (15 apartments - 7 doctors' offices). It is proposed to erect a 12 x 25 foot addition at second floor level over existing first floor space to enlarge one apartment. The floor area ratio would be increased only minimally; the rear yard deficiency is existing. Recommend approval.

VOTED: That in connection with petition no. Z-2584, brought by Samuel Hanna, 530 VFW Parkway, West Roxbury, for an extension of a non-conforming use and two variances to erect a one story addition to a residential and office structure in a single family (S-.5) district, the Boston Redevelopment Authority recommends approval. The floor area ratio would be increased only minimally; the rear yard deficiency is existing.

Board of Appeal Referrals 9/7/72

Hearing Date: 9/12

Petition No. Z-2590
Rita Sullivan
23 Monument Avenue
Charlestown

Petitioner seeks three variances to legalize an existing one family dwelling and to erect a one story addition in an apartment (H-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 15-1. Floor area ratio is excessive.	1	2
Section 17.1. Open space is insufficient. 800 sf/du		0
Section 20-1. Rear yard is insufficient. 10 ft.		0

The property, located on Monument Avenue near the intersection of Warren Street in the Charlestown Urban Renewal Area, contains a three story brick structure. The extension, enclosure of rear porch, has been completed. Abutting properties will not be significantly affected.
Recommend approval.

VOTED: That in connection with petition no. Z-2590, brought by Rita Sullivan, 23 Monument Avenue in the Charlestown Urban Renewal Area, for three variances to legalize an existing one family dwelling and to erect a one story addition in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval.

